

Regular Meeting  
Frankfort Board of Commissioners

November 27, 2006  
5:30 P.M. (EST)

**PRESENT**

Commissioner Kathy Carter  
Commissioner Lynn Bowers  
Commissioner Rodney Williams  
Commissioner J. W. Bryan  
Mayor William I. May, Jr. (5)

**ABSENT**

None (0)

The Invocation was given by Rev. Louis Newby, First Corinthian Baptist Church. The Pledge of Allegiance was led by John Hammond.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the reading of the minutes of the October 30, 2006 Special Meeting; the November 3, 2006 Special Meeting; the November 13, 2006 Special Meeting; and the November 13, 2006 Work Session be dispensed with and approved as presented. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May commented on the Candlelight Tour and the opening of the new exhibit at the Capital City Museum.

**Ceremonial Items**

EMS Director Deron Rambo reported on the City's Reverse 911 system and recent successes using the system. Daryl Hensley, Director of Communications, reported on the Mobile Command Post. The project is a joint effort with Franklin County Sheriff's Office. The Mobile Command Post had been on display in the parking lot prior to the meeting

"AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES, CHAPTER 37, PERSONNEL; CITY EMPLOYEES, SECTION 37.34, AND POSITIONS FOR THE SEWER DEPARTMENT, SECTION 37.35, BIWEEKLY RATES" was presented and read. This Ordinance had its first reading on October 30, 2006. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 28, 2006 Series).

"AN ORDINANCE REZONING PROPERTY FOR A 1.59-ACRE PARCEL OF PROPERTY LOCATED AT 113 OLD SOLDIERS LANE WITH THE PVA MAP # 049-40-06-028.00 FROM RESIDENTIAL "B" DISTRICT (RB) TO PROFESSIONAL OFFICE DISTRICT (PO)" was presented and read. This Ordinance had its first reading on October 30, 2006. It was moved by Commissioner Williams, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 29, 2006 Series).

"AN ORDINANCE AMENDING ORDINANCE NO. 4, 1995 SERIES (FRANKFORT CODE OF ORDINANCES SECTION 36.198). A JOINT ORDINANCE RELATING TO THE ESTABLISHMENT OF A JOINT CITY/COUNTY ECONOMIC/INDUSTRIAL DEVELOPMENT AUTHORITY" was presented and read. This Ordinance had its first reading on November 3, 2006. It was moved by Commissioner Williams, seconded by Commissioner Bryan, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Williams and Bryan, and Mayor May (4). Voting against the motion was Commissioner Bowers (1). The motion was thereupon adopted (Ordinance No.30, 2006 Series).

Following discussion, "AN ORDINANCE OF THE CITY OF FRANKFORT, KENTUCKY, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2006, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY COSTS OF A NEW PUBLIC SAFETY BUILDING AND RELATED FACILITIES; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE BONDS ARE TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE BONDS; PROVIDING FOR A PUBLIC SALE OF THE BONDS AND THE APPLICATION OF THE PROCEEDS THEREOF; AND APPROVING RELATED DOCUMENTS AND ACTIONS" was presented and read. This Ordinance had its first reading on November 13, 2006. Following comments from Bob Pennington with Morgan Keegan, it was moved by Commissioner Williams, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Williams and Bryan, and Mayor May (4). Voting against the motion was Commissioner Bowers (1). The motion was thereupon adopted (Ordinance No. 31, 2006 Series).

"AN ORDINANCE REZONING PROPERTY FOR A 0.48-ACRE PROPERTY ADDRESSED AS 611 KINGS DAUGHTER DRIVE WITH THE PVA MAP #050-00-00-079.00 FROM LOW-DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT (RL) TO PROFESSIONAL OFFICE (PO)" was presented and read.

"AN ORDINANCE AMENDING ORDINANCE NO. 9, 2006 SERIES TO CORRECT THE PROPERTY DESCRIPTION OF 92 ACRES OF PROPERTY ANNEXED ALONG HIGHWAY US 60" was presented and read.

"RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2006 BROWNFIELD ASSESSMENT GRANT FUNDS FOR HAZARDOUS SUBSTANCES AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS GRANT" was presented. It was moved by Commissioner Carter, seconded by Commissioner Bryan, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 20, 2006 Series).

"RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR 2006 BROWNFIELD ASSESSMENT GRANT FUNDS FOR PETROLEUM SUBSTANCES AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS GRANT" was presented. It was moved by Commissioner Carter, seconded by Commissioner Bryan, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 21, 2006 Series).

**Consent Agenda**

The following miscellaneous and personnel items were presented:

- 6.1 Authorized suspension of time in rank requirement for Fire Battalion Chief eligibility to permit promotional testing with one year in grade as Captain as no Captains have two years in grade; concurrence by the Civil Service Board (Fire Department);
- 6.2 Authorized approval of lowest bid to John Feshal, Jr. for demolition of 682 Cline Street and execution of the Memorandum of Agreement; contract to be awarded for \$9,200; funds available in Account No. 100-70-53295 (Planning and Building Codes);
- 6.3 Authorized contract award for Engineering Services Agreement to CDM for Capacity Management Operations and Maintenance (CMOM) Self Assessment and Sanitary Sewer Overflow Protocol (SORP) assistance; project to be completed 150 days after contract signing for lump sum fee of \$75,000; funds are available in Account No.450-68-56550 (Sewer Department);
- 6.4 Authorized Change Order # 1 to contract with Statiflo Corporation for Static Mixing Equipment for new Ozone System at the Wastewater Treatment Plant; following contract award, changes were negotiated to clarify Sections 00200, 00610, 00615, and 00520; there is no change in contract price (Sewer Department);

- 6.5 Approved a contract extension with FMSM Engineers for Geographic Information Systems (GIS) support for the City of Frankfort; additional Services necessary for collection of GIS data to populate the database for the sanitary sewer system; contract authorizes FMSM to complete data collection in Basins 5, 6 and ; project to be completed no later than October 2007; project cost is \$148,000 with funds available in Account No.300-68-53295 (Sewer Department);
- 6.6 Authorized award of an Engineering Services Agreement to Lee Engineering, LLC, for the design and bidding of a new pump station along Jones Lane off US 127 South of Frankfort: DOW requiring that the owner of the Suburban Mobile Home Park WWTP to connect to the City of Frankfort Sewer Department collection system; the owner of the WWTP to reimburse Frankfort Sewer Department a prorated share of the cost of the new system; funds are available in Account No. 450-68-56550 (Sewer Department);
- 6.7 Authorized award of Engineering Services Agreement to Quest Engineers for the redesign to current design standards, bidding, contract administration and resident representation of a replacement pump station at Cardinal Hills; also included resubmittal to the Division of Water for approval, and cost of contract administration and resident representation based upon an estimated 4-month construction period; bids to be advertised early 2007 with construction start soon thereafter; total cost of agreement \$44,600, with funds available in Account No. 450-68-56550 (Sewer Department);
- 6.8 Authorized the purchase of a 2007 Dodge Caravan 7-passenger van under a Rural Transit Enterprises Coordinated (RTEC) bid award through Ilderton Dodge & Conversion Company, Charlotte, NC; the van to be used in the Transit Division to transport para-transit (demand response) passengers during peak hour; will replace a 1991 Ford Crown Victoria, which will be declared surplus; the cost is \$20,631.00 with the following breakdown of costs; federal Share (80%) \$16,504.80, State Share (10%) \$2,063.10 and City Share (10%) \$2,063.10; City share of Federal and State shares through the Section 5311 Capital Grant; City's 10% match available in Transportation Improvement Account No. 530-005-1100 (Public Works);
- 6.9 Authorized a contract award a to Sani-Tech Services to perform preventative maintenance cleaning of selected sanitary and combined sewers and pump stations within the Sewer Department's collection system; it is projected that 40 to 50 miles of sewer will be cleaned and all pump station wet wells can be cleaned twice during the coming year under this contract; cost is an hourly fee of \$167.65, not-to-exceed \$200,000 limit, with \$150,000 allocated to sewer cleaning and \$50,000 allocated to cleaning of pump stations and wet wells; funding is available from Sewer Account No. 300.68.53295 (Sewer Department);
- 6.10 Authorized the following personnel action:
  - Accepted the retirement of Dianna G. Rogers, effective December 31, 2006, and authorized the payment of all accrued time as of effective date (Planning and Building Codes).

It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Consent Agenda as presented be approved. All members being present, the motion to approve the consent agenda was adopted without objection.

**Board Appointments**

Mayor May acknowledged receipt of Doug Howard's resignation from the BZA and thanked him for his service.

**New Business**

It was moved by Commissioner Williams, seconded by Commissioner Carter that the following personnel actions be approved:

- Appointment of Clarence E. Oliver to position of Tech II, effective 12-12-06 (Sewer Department);
- Appointment of Charity A. White to position of Telecommunicator, effective 12-15-06 (Communications);
- Appointment of Julsun Pacheco to position of Technology Information Manager, effective 1-2-07 (City Manager);
- Retirement of Fred Spradlin, Telecommunicator, effective 1-30-07, and authorize payment of all accrued leave as of effective date;
- Retirement of Barry S. Clark, Patrol Officer III, effective 11-30-06, and authorize payment of all accrued leave as of effective date.

The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Citizen Comments**

Norman Snider congratulated election winners, and reported the Paul Sawyer Library will provide space for City reference documents. Anita Chinn requested status of a petition request to Public Works concerning "No Parking" signs in her neighborhood.

**Commissioner Comments**

Commissioner Carter commented concerning the upcoming December City Cable 10 program on snow removal; Civil Service Board member Fred Troutman; Police Major Fred Deaton's son, Jared, home from Marine Boot Camp; called on Communications Director Daryl Hensley, who reported on community relations activities of Communications employees Verita Griffin (Maddox) and Dee Dee Bryant; and commended Molly Rogers, violinist with the Kentucky Youth Orchestra.

Commissioner Bowers commented on the Library proposal to hold city reference documents; commended all candidates for office; commented on the need for more planning by the City in solving problems for neighborhoods; the City-County tax-sharing agreement; and the proposed Public Safety Building. Commissioner Williams commented on hiring of the new Information Technology Manager, the CCEIDA Ordinance and agreement with Franklin County Fiscal Court, and the Division of Water Consent Decree. Mayor May commented regarding Ben Childs, former City employee, who recently passed away.

It was moved by Commissioner Carter, seconded by Commissioner Bowers, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Williams and Bryan, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting adjourned at 6:31 p.m.

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Mayor

Attest:

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City Clerk